

APPEAL NO. 041175  
FILED JUNE 28, 2004

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on March 22, 2004. The hearing officer determined that appellant (claimant) did not sustain a compensable injury and that she did not have disability. Claimant appealed these determinations on sufficiency grounds. Respondent (self-insured) responded that claimant's appeal is untimely and that the hearing officer did not err.

DECISION

The decision and order of the hearing officer have become final pursuant to Section 410.169.

A written request for appeal must be filed with the Texas Workers' Compensation Commission within 15 days of the date of receipt of the hearing officer's decision, excluding Saturdays, Sundays, and holidays listed in Section 662.003 of the Texas Government Code. Section 410.202(a) and (d). In her appeal, the claimant states that she received the hearing officer's decision on April 5, 2004. The last date for the claimant to timely file an appeal was April 28, 2004. The certificate of service is dated May 17, 2004, and the appeal was postmarked on May 18, 2004. The appeal is, therefore, untimely.

The appeal being untimely, the jurisdiction of the Appeals Panel was not properly invoked and the decision and order of the hearing officer has become final pursuant to Section 410.169.

According to information provided by carrier, the true corporate name of the insurance carrier is **(a self-insured governmental entity)** and the name and address of its registered agent for service of process is

**RE  
(ADDRESS)  
(CITY), TEXAS (ZIP CODE).**

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Judy L. S. Barnes  
Appeals Judge

CONCUR:

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Robert W. Potts  
Appeals Judge

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Veronica L. Ruberto  
Appeals Judge